

**REMARKS/ARGUMENTS**

Claims 1-94 were pending. By this amendment, claims 13, 15-16, 27-28, 30-36, 63, and 64 have been canceled without prejudice to expedite the prosecution of this application, and, claims 1, 5, 26, 38, 44-56, 62, 65-67, 72-75, 78, and 87 have been amended. Thus, claims 1-12, 14, 17-26, 29, 37-62, 65-94, are presented for examination. Applicants aver that no new matter has been introduced in this response.

In the office action, the Examiner objected to the drawings as not showing every feature of the invention specified in claims, rejected claims 1-37, 56-64, 75-86, 87-92 under 35 USC §112, second paragraph, and rejected claims 1-10, 15, 16, 26-28, 38, and 42 under 35 USC §102(b) as being anticipated by U.S. Patent No. 5,870,412 issued to Schuster (hereinafter "Schuster"), and rejected claims 11, 12, 30, 31, 37, 39-41, 43-82, and 87-94 under 35 USC §103(a) as being unpatentable over Schuster in view of U.S. Patent No. 6,018,766 issued to Samuel et al. (hereinafter "Samuel"), and rejected claims 13, 17 - 22, 32 - 36, 83 - 86 under 35 USC §103(a) as being unpatentable over Schuster in view of Samuel in further view of U.S. Patent No. 6,434,619 issued to Lim et al. (hereinafter "Lim"), and rejected claims 14 and 23-25 under 35 USC §103(a) as being unpatentable over Schuster in view of Samuel in further view of U.S. Patent No. 5,948,061 issued to Merriman et al. (hereinafter "Merriman"). Applicants submit that this amendment is fully responsive to each of these objections and rejections, and respectfully request reconsideration.

**Objections to Drawings**

In the office action, the Examiner objected to the drawings as not showing every feature of the invention specified in claims. Applicants submit that the objection has been obviated by the amendments to the claims and respectfully request the Examiner withdraw the objection.

**§ 112, Second Paragraph Rejection**

The Applicants have amended claims 1-12, 14, 17-26, 29, 56-62, 75-86, and 87-92 to correct antecedent basis issues and to clarify elements of the claims. Applicants submit that the rejections have been obviated by these amendments and respectfully request the Examiner withdraw the rejections.

**§102(b) Rejection**

Claims 1-10, 15, 16, 26-28, 38, and 42 stand rejected under 35 USC §102(b) as being anticipated by Schuster. The Applicants respectfully assert that claim 1 is allowable over that reference, as that reference fails to disclose or suggest each element of claim 1.

**Claim 1**

Claim 1 recites, in part, “where the packet payload transmitted to a client at any particular time is independent of the number of packets previously received by each of the clients.” Schuster does not teach, show, or suggest at least this claim element. Schuster does teach a forward error correction code scheme where a forward error correction code is appended to a sequential series of payload packets. However, Schuster fails to disclose or suggest that the packet payload transmitted to a client at any particular time is independent of the number of packets previously received by each of the clients as recited in claim 1. On the contrary, Schuster relies on an XOR sum of a *specified number of sequential preceding payload packets* (emphasis added) to replace packets that are lost or corrupted. Schuster requires a built in forward error correction code  $FEC[k]$  for each payload packet  $P[k]$  where  $FEC[k] = P[k-1] \text{ XOR } PL[k-2] \text{ XOR}$ , and so on. Further, Schuster teaches a predetermined sliding window “w” that works with the sequential series of packet payloads, where the number w is more than 1. The predetermined number w defines the window in which the XOR operation is taken and defines the length of the burst error or number of lost packets in a row that the system is able to recover. In addition, Schuster teaches that encoding schemes for data recovery such as Reed-Solomon encoding increase complexity and delays (see col. 3, line 59 through col. 4, line 9 of Schuster). Therefore, Schuster teaches reliance on a sequential number of packets received correlated with

the sequence number of the missing or corrupted packets in order to recover data (see Abstract, FIG. 2-7, col. 5, line 1 to col. 6, line 54, col. 7 lines 1-52, col. 107 lines 35-51, and col. 108 lines 10-24 of Schuster). Therefore, for at least the above reasons, claim 1 is allowable over the reference. Applicants respectfully request the Examiner withdraw the rejection of claim 1.

Dependent claims 2-10, 15-16, and 26-28

Claims 2-10, 15-16, and 26-28 which depend from claim 1, are allowable for at least the reasons described in relation to claim 1, as well as the limitations they recite.

Claim 38

Claim 38 recites, in part, “where the packet payload transferred to a client at any particular time is independent of the number of packets previously received by each of the clients.” Schuster does not teach, show, or suggest at least this claim element. Similar as recited above with regard to claim 1, Schuster fails to disclose the packet payload transferred to a client at any particular time is independent of the number of packets previously received by each of the clients as recited in claim 38. However, Schuster does teach reliance on a sequential number of packets. For at least the above reasons, the Applicants submit that claim 38 is allowable.

Dependent claim 42

Claim 42 which depends from claim 38, is allowable for at least the reasons described in relation to claim 38, as well as the limitations it recites.

**§103(a) Rejections**

Claims 11, 12, 30, 31, 37, 39-41, and 43

Claims 11, 12, 30, 31, 37, 39-41, 43-82, and 87-94 stand rejected under 35 USC §103(a) as being unpatentable over Schuster in view of Samuel. The Applicants respectfully assert that claim 1 and therefore dependent claims 11, 12, 30, 31, 37 and independent claim 38 and its dependent claims 39-41, and 43 are allowable over those references.

As explained above, Schuster does not anticipate claims 1 or 38 as it fails to disclose or suggest at least the claim element of the packet payload transferred to a client at any particular time is independent of the number of packets previously received by each of the clients. Samuel does not make up for what Schuster lacks. Samuel does teach a method for deploying interactive applications over a network containing host computers and group messaging servers operating in a conventional unicast environment. However, Samuel does not disclose the packet payload transferred to a client at any particular time is independent of the number of packets previously received by each of the clients. On the contrary, Samuel teaches maintaining a set of message groups that are used by the host computers to communicate messages between themselves. Samuel does teach a method for deploying an interactive application for multiple participants on a network that reduces the overall message rate and latency using a unique upper layer protocol (see Abstract, FIG. 5-7, col. 8 lines 23-48, col. 11 lines 26-42, col. 27, line 50 through col. 28, line 4, col. 28 lines 6-29, and line 39 through col. 29 line 7 of Samuel) Samuel does not make up for the deficiencies of Schuster. Therefore, as claims 1 and 38 include an element not disclosed by Schuster nor in combination with, or taught by Samuel, the Applicants submit claims 11, 12, 30, 31, 37, 39-41, and 43 are allowable.

#### Claim 44

Amended claim 44 recites in part “wherein the packet payload transferred to a unicast client at any particular time is independent of the number of packets previously received by each of the plurality of unicast clients.” Similar as recited above with regard to the above argument, there is no disclosure in Schuster or Samuel of the packet payload transferred to a client at any particular time being independent of the number of packets previously received by each of the clients. Therefore, the Applicants submit that claim 44 is allowable.

#### Dependent claims 45-55

Claims 45-55 which depend from claim 44, are allowable for at least the reasons discussed in relation to claim 44, as well as the limitations they recite.

Claim 56

Amended claim 56 recites, in part, “where the stream of packets transferred to a multicast client at any particular time is independent of the number of packets previously received by each of the multicast clients.” Similar to the discussion above, there is no disclosure in Schuster or Samuel where the stream of packets transferred to a multicast client at any particular time is independent of the number of packets previously received by each of the multicast clients. Therefore, the Applicants submit claim 56 is allowable.

Dependent claims 57-64

Claims 57-64 which depend from claim 56, are allowable for at least the reasons described in relation to claim 56, as well as the limitations they recite.

Claim 65

Amended claim 65 recites, in part, “where the stream of packets transferred to a multicast client at any particular time is independent of the number of packets previously received by each of the multicast clients.” Similar to the arguments above, there is no disclosure in Schuster or Samuel where the stream of packets transferred to a multicast client at any particular time is independent of the number of packets previously received by each of the multicast clients. Therefore, the Applicants submit that claim 65 is allowable.

Dependent claim 66

Claim 66 which depends from claim 65, is allowable for at least the reasons discussed in relation to claim 65, as well as the limitations it recites.

Claim 67

Claim 67 recites, in part, “where the stream of packets transferred to a multicast client at any particular time is independent of the number of packets previously received by each of the multicast clients.” Similar as with the above arguments, there is no disclosure in Schuster or Samuel where the packet payload transferred to a client at any particular time is independent

of the number of packets previously received by each of the clients. Therefore, the Applicants submit claim 67 is allowable.

Dependent claims 68-71

Claims 68-71 which depend from claim 67, are allowable for at least the reasons discussed in relation to claim 67, as well as the limitations they recite.

Claim 72

Amended claim 72 recites, in part, “where the multicast packets transferred to a multicast client at any particular time is independent of the number of multicast packets previously received by each of the multicast clients.” Similar to the above arguments, there is no disclosure in Schuster or Samuel where the packet payload transferred to a client at any particular time is independent of the number of multicast packets previously received by each of the multicast clients. Therefore, the Applicants submit that claim 72 is allowable.

Dependent claims 73-86

Claims 73-86 which depend from claim 72, are allowable for at least the reasons discussed in relation to claim 72, as well as the limitations they recite.

Claim 87

Amended claim 87 recites, in part, “wherein the number of packets received is independent of the number of packets previously received by the client from the multicast network.” Similar to the above arguments, there is no disclosure in Schuster or Samuel where the packet payload transferred to a client at any particular time is independent of the number of multicast packets previously received by each of the multicast clients. Therefore, the Applicants submit that claim 87 is allowable.

Dependent claims 88-94

Claims 88-94 which depend from claim 87, are allowable for at least the reasons discussed in relation to claim 87, as well as the limitations they recite.

Claims 13 and 17-22

As recited above, amended claim 1 recites, in part, "where the packet payload transmitted to a client at any particular time is independent of the number of packets previously received by each of the clients." As with the above arguments, there is no disclosure in Schuster or Samuel where the packet payload transferred to a client at any particular time is independent of the number of packets previously received by each of the clients. Further, Lim does not teach or suggest at least this element. However, Lim does teach a method and system to allow a customer of a service provider to monitor and manage communication services provided by the service provider. The management system employs an Internet based architecture to provide the customer with access to their virtual private networks using a browser. Lim teaches a system that allows a customer (e.g., subscriber) to monitor their network endpoints and the status of their connections provided by the service provider. Lim teaches a logon authentication system that prevents multiple logon of the same logon ID but gives the user the ability to logon if the web browser they are using has crashed, or they are working from a new workstation (see Abstract, FIG. 2, col. 2 lines 6-30, col. 12 lines 14-38 of Lim). Therefore, as claim 1 and dependent claims 13 and 17 - 22 include an element not disclosed by Schuster individually or in combination with Samuel and/or Lim, the Applicants submit that claims 13 and 17 - 22 are allowable.

Claims 83 - 86

Amended claim 75 recites, in part, "wherein the number of packets received is independent of the number of packets previously received by the client from the server." As with the above arguments, there is no disclosure in Schuster, Samuel, or Lim where the packet payload transferred to a client at any particular time is independent of the number of packets previously received by the client from the server. Therefore, the Applicants submit that independent claim 75 and therefore its dependent claims 83-86 are allowable.

Claims 14 and 23 - 25

As recited above, amended claim 1 recites, in part, "where the packet payload transmitted to a client at any particular time is independent of the number of packets previously received by each of the clients." As discussed herein, there is no disclosure in Schuster or Samuel where the packet payload transferred to a client at any particular time is independent of the number of packets previously received by each of the clients. Merriman does not disclose packet payload transferred to a client at any particular time is independent of the number of packets previously received. However, Merriman does teach a method and apparatus for targeting the delivery of advertisements over a network. Merriman discloses statistics are compiled on individual users and networks toward the use of advertisement to permit targeting (e.g., profiling) of the advertisements to individual users. Merriman teaches an advertising server is used to transmit advertising of affiliated sites based on the targeted profile. Merriman also discloses that data is tracked on how often a given advertisement has been displayed (see Abstract, FIG. 1-2, col. lines 6-45 of Merriman). Therefore, the Applicants submit that amended claim 1 and dependent claims 14 and 23 - 25 are allowable.



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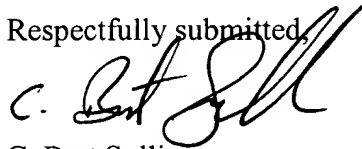
### CONCLUSION

The prior art made of record is noted. However, it is believed that the secondary references are no more pertinent to the Applicants' disclosure than the primary references cited in the office action. Therefore, it is believed that a detailed discussion of the secondary references is not deemed necessary for a full and complete response to this office action.

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (415) 576-0200.

Respectfully submitted,



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